



Monday,
November 22, 1999

Part XLV

Small Business Administration

Semiannual Regulatory Agenda

Small Business Administration (SBA)

SMALL BUSINESS ADMINISTRATION

13 CFR Ch. I

Improving Government Regulations;
Semiannual Agenda

AGENCY: Small Business Administration.

ACTION: Semiannual regulatory agenda.

SUMMARY: The entries below represent the Small Business Administration's (SBA) 41st semiannual regulatory agenda. Although not a regulatory agency, the SBA drafted the agenda to meet both the criteria and the spirit of the regulatory review process. SBA publishes this agenda pursuant to Executive Order 12866 and the Regulatory Flexibility Act, 5 U.S.C. 601 *et seq.*

FOR FURTHER INFORMATION CONTACT: For further information on agenda items, SBA encourages the public to contact the individual agency official referenced in each entry.

For information concerning SBA's overall Regulatory Review and Development Program or general semiannual agenda questions, contact David R. Kohler, Deputy General Counsel, U.S. Small Business Administration, 409 Third Street SW., Washington, DC 20416, (202) 205-6638.

SUPPLEMENTARY INFORMATION: The SBA agenda is designed to increase public knowledge of all anticipated SBA regulatory activities. Publication may encourage increased public participation in the review and development process.

SBA's agenda is divided into three parts. Part I, Proposed Rules, includes those rules which likely will be proposed during the next 12 months. Part II, Final Rules, includes proposed rules which probably will be finalized during the agenda period. Part III, Completed Actions, includes regulations completed or withdrawn and reviews completed since the preceding agenda.

Publication of the agenda does not impose any binding obligation on SBA with regard to any specific item in the agenda. Further, regulatory action not listed on the agenda is not precluded.

For this edition of SBA's regulatory agenda, the most important significant regulatory actions are included in **The Regulatory Plan**, which appears in part II of this issue of the **Federal Register**. **The Regulatory Plan** entries are listed in the table of contents below and are denoted by a bracketed bold reference, which directs the reader to the appropriate sequence number in part II.

Finally, SBA regulations are developed in a manner that promotes economic growth without imposing unnecessary regulatory burdens on the public.

Dated: September 23, 1999.

Aida Alvarez,
Administrator.

Prerule Stage

Sequence Number	Title	Regulation Identification Number
4075	Surety Bond Guarantee	3245-AE13

Proposed Rule Stage

Sequence Number	Title	Regulation Identification Number
4076	Supplemental Standards of Ethical Conduct for Employees of the Small Business Administration	3245-AC96
4077	Record Disclosure and Privacy Regulations	3245-AE03
4078	Small Business Development Center Program Revisions	3245-AE05
4079	Small Business Size Standards; North American Industry Classification System	3245-AE07
4080	PLP Lenders' Responsibilities for Servicing and Liquidating Loans	3245-AE09
4081	Servicing of Guaranteed Loans	3245-AE10
4082	Small Business Lending Company Oversight Regulations (Reg Plan Seq No. 147)	3245-AE14
4083	Small Business Size Standards; Accounting, Auditing, and Bookkeeping Services	3245-AE16
4084	Small Business Size Standards; Help Supply Services	3245-AE17
4085	Small Business Size Standards; Electric Services	3245-AE18
4086	Common Rule on Title IX of the Civil Rights Act	3245-AE19
4087	Business Loan Programs—Multi-Lender Securitizations (Reg Plan Seq No. 148)	3245-AE26
4088	HUBZone Program Technical Amendments	3245-AE28
4089	Small Business Size Standards; Net Income Computation for the Small Business Investment Company	3245-AE29
4090	Small Business Size Standards; Mapping Services	3245-AE30
4091	8(a) Business Development/Application of Benchmarks	3245-AE37
4092	8(a) Business Development/Program Improvement and Technical Amendments	3245-AE38
4093	Business Loan Program; Modifications to CDC Operations (Reg Plan Seq No. 149)	3245-AE39
4094	New Markets Venture Capital Program (Reg Plan Seq No. 150)	3245-AE40
4095	Local Economic Development and For-Profit CDCs (Reg Plan Seq No. 151)	3245-AE41

References in boldface appear in the Regulatory Plan in Part II of this issue of the **Federal Register**.

SBA**Final Rule Stage**

Sequence Number	Title	Regulation Identification Number
4096	Amendment to SBA's Regulations Regarding Administrative Offset	3245-AD90
4097	Contract Bundling Procurement Strategy	3245-AE04
4098	Small Business Size Standards; Health Care Industries	3245-AE06
4099	SBIC Program Reform	3245-AE08
4100	Small Business Size Standards; General Building Contractors, Heavy Construction, Dredging and Surface Clean-up Activities, Special Trade Contractors, Gargage and Refuse Collection	3245-AE23
4101	Small Business Size Standards; Arrangement of Transportation of Freight and Cargo	3245-AE27

Completed Actions

Sequence Number	Title	Regulation Identification Number
4102	Business Loan Policy: Unguaranteed Portions of Loans, Securitization, Sales, and Pledges	3245-AD84
4103	Small Business Size Standards; Engineering Services, Architectural Services, and Surveying and Mapping Services	3245-AD89
4104	Revisions to PCLP Regulations	3245-AE11
4105	Minority Enterprise Development	3245-AE20
4106	Minority Enterprise Development	3245-AE21
4107	Minority Enterprise Development	3245-AE22
4108	Small Business Investment Companies (LMI)	3245-AE24
4109	Disaster Mitigation Pilot Loan Program	3245-AE25

Small Business Administration (SBA)**Prerule Stage****4075. SURETY BOND GUARANTEE****Priority:** Substantive, Nonsignificant**Legal Authority:** 5 USC app 3; 15 USC 687b, 687c, 694a, 694b; PL 105-135**CFR Citation:** 13 CFR 115**Legal Deadline:** None**Abstract:** Program regulations will be revised to include policy and

procedural modifications. Planned regulatory changes pertain to both the prior approval and the preferred surety bond programs.

Timetable:

Action	Date	FR Cite
ANPRM	09/00/00	

Regulatory Flexibility Analysis Required: Yes**Small Entities Affected:** Businesses**Government Levels Affected:** None**Agency Contact:** Robert J. Moffitt, AA/Office of Surety Guarantees, Small Business Administration, 409 Third Street SW, Washington, DC 20416
Phone: 202 205-6540**RIN:** 3245-AE13**Small Business Administration (SBA)****Proposed Rule Stage****4076. SUPPLEMENTAL STANDARDS OF ETHICAL CONDUCT FOR EMPLOYEES OF THE SMALL BUSINESS ADMINISTRATION****Priority:** Other Significant**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.**Legal Authority:** 15 USC 684; 15 USC 637(a)(18); 15 USC 637(a)(19); EO 12674**CFR Citation:** 5 CFR 5400**Legal Deadline:** None**Abstract:** This rule is part of SBA's regulatory streamlining effort. The SBA and the Office of Government Ethics are jointly issuing this rule, which is designed to establish uniform standards of ethical conduct for the officers and employees of the SBA. The rule will

be published at 5 CFR ch XLIV and will supplement the Standards of Ethical Conduct for Employees of the Executive Branch issued by the Office of Government Ethics (57 FR 35006; Aug. 7, 1992). The rule is necessary to supplement the standards issued by OGE because it addresses ethical issues which are unique to SBA.

Timetable:

Action	Date	FR Cite
NPRM	12/00/99	

SBA

Proposed Rule Stage

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** Federal**Agency Contact:** Robinson S. Nunn, Chief Counsel for Ethics, Small Business Administration, 409 Third Street SW, 7th Floor, Washington, DC 20416

Phone: 202 205-6642

RIN: 3245-AC96**4077. RECORD DISCLOSURE AND PRIVACY REGULATIONS****Priority:** Substantive, Nonsignificant**Legal Authority:** PL 104-231; 5 USC 552**CFR Citation:** 13 CFR 102**Legal Deadline:** None**Abstract:** This proposed regulation will amend 13 CFR section 102 part A, governing disclosure of information, to implement the Electronic Freedom of Information Act Amendments of 1996.**Timetable:**

Action	Date	FR Cite
NPRM	04/00/00	
NPRM Comment Period End	06/00/00	
Final Action	09/00/00	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** Federal**Agency Contact:** Beverly Linden, Chief, Freedom of Information Act Office, Small Business Administration, 409 Third Street SW, Washington, DC 20416

Phone: 202 401-8200

RIN: 3245-AE03**4078. SMALL BUSINESS DEVELOPMENT CENTER PROGRAM REVISIONS****Priority:** Substantive, Nonsignificant**Legal Authority:** 15 USC 634(b)(6); 15 USC 648**CFR Citation:** 13 CFR 130**Legal Deadline:** None**Abstract:** SBA is revising its SBDC regulations to reflect programmatic changes contained in Public Law 105-305.**Timetable:**

Action	Date	FR Cite
NPRM	11/00/99	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Agency Contact:** Johnnie L. Albertson, AA/SBDCs, Small Business Administration, 409 Third Street SW, Washington, DC 20416

Phone: 202 205-6766

RIN: 3245-AE05**4079. SMALL BUSINESS SIZE STANDARDS; NORTH AMERICAN INDUSTRY CLASSIFICATION SYSTEM****Priority:** Other Significant**Legal Authority:** 15 USC 632(a); 15 USC 634(b)(6)**CFR Citation:** 13 CFR 121**Legal Deadline:** None**Abstract:** This proposed regulation will amend our current regulations to convert SBA's size standards from the Standard Industrial Classification system to conform with OMB's new North American Industry Classification system.**Timetable:**

Action	Date	FR Cite
NPRM	10/22/99	64 FR 57187
NPRM Comment Period End	12/21/99	
Final Action	02/00/00	

Regulatory Flexibility Analysis**Required:** Yes**Small Entities Affected:** Businesses**Government Levels Affected:** None**Procurement:** This is a procurement-related action for which there is no statutory requirement. There is no paperwork burden associated with this action.**Agency Contact:** Gary M. Jackson, AA/Size Standards, Small Business Administration, 409 Third Street SW, Washington, DC 20416

Phone: 202 205-6618

RIN: 3245-AE07**4080. PLP LENDERS' RESPONSIBILITIES FOR SERVICING AND LIQUIDATING LOANS****Priority:** Other Significant**Legal Authority:** 15 USC 634(b)(6); 15 USC 636(a); 15 USC 634(b)(7)**CFR Citation:** 13 CFR 120.453**Legal Deadline:** None**Abstract:** SBA is amending 13 CFR to provide PLP lenders guidance on submitting liquidation plans.**Timetable:**

Action	Date	FR Cite
NPRM	12/00/99	
Final Action	03/00/00	

Regulatory Flexibility Analysis**Required:** Yes**Small Entities Affected:** Businesses**Government Levels Affected:** None**Agency Contact:** Jane Palsgrove Butler, Office of Financial Assistance, Small Business Administration, 409 Third Street SW, Washington, DC 20416

Phone: 202 205-6485

RIN: 3245-AE09**4081. SERVICING OF GUARANTEED LOANS****Priority:** Other Significant**Legal Authority:** 15 USC 634(b); 15 USC 634(b)(7)**CFR Citation:** 13 CFR 120.512**Legal Deadline:** None**Abstract:** SBA is amending 13 CFR section 120.512 to require a lender, after SBA honors its guarantee, to service and liquidate the loan and continue to hold the loan instruments unless SBA indicates otherwise. SBA is also amending this regulation for other technical changes.**Timetable:**

Action	Date	FR Cite
NPRM	12/00/99	
Final Action	03/00/00	

Regulatory Flexibility Analysis**Required:** Yes**Small Entities Affected:** Businesses**Government Levels Affected:** None**Agency Contact:** Jane Palsgrove Butler, Office of Financial Assistance, Small Business Administration, 409 Third Street SW, Washington, DC 20416

Phone: 202 205-6485

RIN: 3245-AE10**4082. SMALL BUSINESS LENDING COMPANY OVERSIGHT REGULATIONS****Regulatory Plan:** This entry is Seq. No. 147 in Part II of this issue of the **Federal Register**.**RIN:** 3245-AE14

SBA

Proposed Rule Stage

4083. SMALL BUSINESS SIZE STANDARDS; ACCOUNTING, AUDITING, AND BOOKKEEPING SERVICES**Priority:** Other Significant**Unfunded Mandates:** This action may affect the private sector under PL 104-4.**Legal Authority:** 15 USC 632(a); 15 USC 634(b)(6)**CFR Citation:** 13 CFR 121**Legal Deadline:** None**Abstract:** This proposed rule seeks public input on the present size standard of \$6 million in average annual revenues.**Timetable:**

Action	Date	FR Cite
ANPRM	06/03/99	64 FR 29813
ANPRM Comment Period End	07/06/99	
NPRM	11/00/99	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** Businesses**Government Levels Affected:** Undetermined**Procurement:** This is a procurement-related action for which there is no statutory requirement. There is no paperwork burden associated with this action.**Agency Contact:** Gary M. Jackson, AA/Size Standards, Small Business Administration, 409 Third Street SW, Washington, DC 20416
Phone: 202 205-6618**RIN:** 3245-AE16**4084. SMALL BUSINESS SIZE STANDARDS; HELP SUPPLY SERVICES****Priority:** Other Significant. Major status under 5 USC 801 is undetermined.**Legal Authority:** 15 USC 632(a); 15 USC 634(b)(6)**CFR Citation:** 13 CFR 121**Legal Deadline:** NPRM, Statutory, June, 1999.**Abstract:** This rule proposes to change the size standard for help supply services. The proposed revision would better define the size of businesses that the SBA believes should be eligible for Federal small business assistance programs in this industry.**Timetable:**

Action	Date	FR Cite
NPRM	10/15/99	64 FR 55873
NPRM Comment Period End	12/14/99	
Final Action	04/00/00	

Regulatory Flexibility Analysis Required: Yes**Small Entities Affected:** Businesses**Government Levels Affected:** Undetermined**Procurement:** This is a procurement-related action for which there is no statutory requirement. There is no paperwork burden associated with this action.**Agency Contact:** Gary M. Jackson, AA/Size Standards, Small Business Administration, 409 Third Street SW, Washington, DC 20416
Phone: 202 205-6618**RIN:** 3245-AE17**4085. SMALL BUSINESS SIZE STANDARDS; ELECTRIC SERVICES****Priority:** Substantive, Nonsignificant**Legal Authority:** 15 USC 632(a)**CFR Citation:** 13 CFR 121.201**Legal Deadline:** None**Abstract:** This rule will revise the size standard for Electrical Services (Standard Industrial Classification 4911). The current size standard is 4 million megawatts.**Timetable:**

Action	Date	FR Cite
NPRM	04/00/00	
Final Action	10/00/00	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** Businesses**Government Levels Affected:** None**Agency Contact:** Gary M. Jackson, AA/Size Standards, Small Business Administration, 409 Third Street SW, Washington, DC 20416
Phone: 202 205-6618**RIN:** 3245-AE18**4086. COMMON RULE ON TITLE IX OF THE CIVIL RIGHTS ACT****Priority:** Other Significant**Unfunded Mandates:** This action may affect the private sector under PL 104-4.**Legal Authority:** 42 USC 2000(e)**CFR Citation:** 13 CFR 113**Legal Deadline:** None**Abstract:** The Department of Justice, in consultation with other agencies, has drafted a proposed common rule to implement title IX of the Education Amendments of 1972, as amended. Each agency that provides financial assistance for educational or training services must adopt this rule. When final, this rule will become part of SBA's regulations and appear as subpart B of 13 CFR part 113.**Timetable:**

Action	Date	FR Cite
NPRM	10/29/99	64 FR 58584
NPRM Comment Period End	12/28/99	
Final Action	12/00/00	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** Businesses**Government Levels Affected:** None**Agency Contact:** Dr. Erlene M. Patrick, AA/Equal Employment Opportunity and Civil Rights Compliance, Small Business Administration, 409 Third Street SW, Washington, DC 20416
Phone: 202 205-6750**RIN:** 3245-AE19**4087. • BUSINESS LOAN PROGRAMS—MULTI-LENDER SECURITIZATIONS****Regulatory Plan:** This entry is Seq. No. 148 in Part II of this issue of the **Federal Register**.**RIN:** 3245-AE26**4088. • HUBZONE PROGRAM TECHNICAL AMENDMENTS****Priority:** Substantive, Nonsignificant**Legal Authority:** PL 105-135, sec. 601; 15 USC 632(a); 15 USC 634(b)(6)**CFR Citation:** 13 CFR 126**Legal Deadline:** None**Abstract:** This regulation describes and explains the HUBZone program and its general applicability.**Timetable:**

Action	Date	FR Cite
NPRM	12/00/99	

Regulatory Flexibility Analysis Required: No

SBA

Proposed Rule Stage

Small Entities Affected: Businesses
Government Levels Affected: None
Procurement: This is a procurement-related action for which there is a statutory requirement. There is no paperwork burden associated with this action.

Agency Contact: Michael McHale, Assistant Administrator, Procurement Policy & Liaison, Small Business Administration, 409 Third Street SW, Washington, DC 20416
 Phone: 202 205-6465

RIN: 3245-AE28

4089. • SMALL BUSINESS SIZE STANDARDS; NET INCOME COMPUTATION FOR THE SMALL BUSINESS INVESTMENT COMPANY

Priority: Substantive, Nonsignificant

Legal Authority: PL 106-9

CFR Citation: 13 CFR 121.301(c)(1)

Legal Deadline: None

Abstract: This rule will incorporate statutory change to the method of computing net income to determine the eligibility of non-taxpaying small businesses for the Small Business Investment Company Program.

Timetable:

Action	Date	FR Cite
NPRM	10/00/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: Gary M. Jackson, AA/Size Standards, Small Business Administration, 409 Third Street SW, Washington, DC 20416
 Phone: 202 205-6618

RIN: 3245-AE29

4090. • SMALL BUSINESS SIZE STANDARDS; MAPPING SERVICES

Priority: Substantive, Nonsignificant

Legal Authority: 15 USC 632(a)

CFR Citation: 13 CFR 121.201

Legal Deadline: None

Abstract: This will establish a size standard for Mapping Services, a component of Standard Industrial Classification 8713, Surveying and Mapping Services. The current size standard is \$4 million. The size

standard for surveying services would not be affected by this action.

Timetable:

Action	Date	FR Cite
NPRM	12/00/99	
Final Action	06/00/00	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Procurement: This is a procurement-related action for which there is no statutory requirement. There is no paperwork burden associated with this action.

Agency Contact: Gary M. Jackson, AA/Size Standards, Small Business Administration, 409 Third Street SW, Washington, DC 20416
 Phone: 202 205-6618

RIN: 3245-AE30

4091. • 8(A) BUSINESS DEVELOPMENT/APPLICATION OF BENCHMARKS

Priority: Substantive, Nonsignificant

Legal Authority: 15 USC 631

CFR Citation: 13 CFR 124

Legal Deadline: None

Abstract: The proposed rule provides guidance to Federal agencies on applying benchmarking principles to the 8(a) Business Development Program to comply with the Supreme Court's decision in Adarand Constructors, Inc., v. Pena, 515 U.S. 200, 115 S. Ct. 2097 (1995).

Timetable:

Action	Date	FR Cite
NPRM	10/00/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: Undetermined

Procurement: This is a procurement-related action for which there is no statutory requirement. There is no paperwork burden associated with this action.

Agency Contact: Jose Gutierrez, AA/Minority Enterprise Development, Small Business Administration, 409 Third Street SW, Washington, DC 20416

Phone: 202 205-6459

RIN: 3245-AE37

4092. • 8(A) BUSINESS DEVELOPMENT/PROGRAM IMPROVEMENT AND TECHNICAL AMENDMENTS

Priority: Substantive, Nonsignificant

Legal Authority: 15 USC 631

CFR Citation: 13 CFR 124; 13 CFR 134

Legal Deadline: None

Abstract: This rule makes technical amendments to the 8(a) program that would clarify the final rule published on June 30, 1998. The rule also proposes several substantive amendments to improve the 8(a) program.

Timetable:

Action	Date	FR Cite
NPRM	12/00/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Procurement: This is a procurement-related action for which there is no statutory requirement. There is no paperwork burden associated with this action.

Agency Contact: Jose Gutierrez, AA/Minority Enterprise Development, Small Business Administration, 409 Third Street SW, Washington, DC 20416
 Phone: 202 205-6459

RIN: 3245-AE38

4093. • BUSINESS LOAN PROGRAM; MODIFICATIONS TO CDC OPERATIONS

Regulatory Plan: This entry is Seq. No. 149 in Part II of this issue of the **Federal Register**.

RIN: 3245-AE39

4094. • NEW MARKETS VENTURE CAPITAL PROGRAM

Regulatory Plan: This entry is Seq. No. 150 in Part II of this issue of the **Federal Register**.

RIN: 3245-AE40

SBA

Proposed Rule Stage

4095. • LOCAL ECONOMIC DEVELOPMENT AND FOR-PROFIT CDCS

Regulatory Plan: This entry is Seq. No. 151 in Part II of this issue of the **Federal Register**.

RIN: 3245-AE41

Small Business Administration (SBA)**Final Rule Stage****4096. AMENDMENT TO SBA'S REGULATIONS REGARDING ADMINISTRATIVE OFFSET**

Priority: Info./Admin./Other

Legal Authority: 31 USC 3711; 31 USC 3720; 5 USC 5574; 31 USC 3716; 15 USC 634(b)(6)

CFR Citation: 13 CFR 140

Legal Deadline: None

Abstract: SBA intends to amend its regulations to include references to administrative offset and other remedies that the Treasury Department may use on behalf of SBA to collect debt pursuant to the Debt Collection Improvement Act of 1996.

Timetable:

Action	Date	FR Cite
NPRM	01/22/99	64 FR 3454
NPRM Comment Period End	02/22/99	
Final Action	12/00/99	

Regulatory Flexibility Analysis Required: Yes

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: Arnold Rosenthal, Assistant Administrator for Borrowers and Lender Servicing, Small Business Administration, 409 Third Street SW, Washington, DC 20416
Phone: 202 205-6481

RIN: 3245-AD90

contracting officers and SBA in cases of bundled contracts.

Timetable:

Action	Date	FR Cite
NPRM	01/13/99	64 FR 2153
NPRM Comment Period End	03/15/99	
Interim Final Rule	10/25/99	64 FR 57366
Interim Final Rule Comment Period End	12/27/99	
Final Action	02/00/00	

Regulatory Flexibility Analysis Required: Yes

Small Entities Affected: Businesses

Government Levels Affected: None

Procurement: This is a procurement-related action for which there is no statutory requirement. There is no paperwork burden associated with this action.

Agency Contact: Judith A. Roussel, AA/Government Contracting, Small Business Administration, 409 Third Street SW, Washington, DC 20416
Phone: 202 205-6412

RIN: 3245-AE04

4098. SMALL BUSINESS SIZE STANDARDS; HEALTH CARE INDUSTRIES

Priority: Other Significant. Major under 5 USC 801.

Legal Authority: 15 USC 632(a); 15 USC 634(b)(6)

CFR Citation: 13 CFR 121

Legal Deadline: None

Abstract: This regulation proposes changes to SBA's size standards for the health care industries.

Timetable:

Action	Date	FR Cite
NPRM	05/04/99	64 FR 23798

Action	Date	FR Cite
NPRM Comment Period End	07/06/99	
Final Action	01/00/00	

Regulatory Flexibility Analysis Required: Yes

Small Entities Affected: Businesses

Government Levels Affected: None

Procurement: This is a procurement-related action for which there is no statutory requirement. There is no paperwork burden associated with this action.

Agency Contact: Gary M. Jackson, AA/Size Standards, Small Business Administration, 409 Third Street SW, Washington, DC 20416
Phone: 202 205-6618

RIN: 3245-AE06

4099. SBIC PROGRAM REFORM

Priority: Substantive, Nonsignificant

Legal Authority: 15 USC 634(b)(6); 15 USC 661 et seq; 15 USC 6833; 15 USC 687; PL 105-135

CFR Citation: 13 CFR 107

Legal Deadline: None

Abstract: This proposed rule would increase the maximum leverage amount for SBICs based on changes in the Consumer Price Index, permit SBICs with participating securities to make quarterly tax distributions, establish regulatory guidelines for Limited Liability Companies, make minor changes in the definition of private capital, and other technical changes.

Timetable:

Action	Date	FR Cite
NPRM	04/14/99	64 FR 18375
NPRM Comment Period End	05/14/99	
Final Action	12/00/99	

Regulatory Flexibility Analysis Required: Yes

4097. CONTRACT BUNDLING PROCUREMENT STRATEGY

Priority: Substantive, Nonsignificant

Legal Authority: PL 105-135

CFR Citation: 13 CFR 121; 13 CFR 125

Legal Deadline: Final, Statutory, September 30, 1998.

Abstract: This regulation will implement new statutory authority regarding duties and responsibilities of

SBA

Final Rule Stage

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: Leonard Fagan, Investment Division, Small Business Administration, 409 Third Street SW, Washington, DC 20416
Phone: 202 205-6510

RIN: 3245-AE08

4100. • SMALL BUSINESS SIZE STANDARDS; GENERAL BUILDING CONTRACTORS, HEAVY CONSTRUCTION, DREDGING AND SURFACE CLEANUP ACTIVITIES, SPECIAL TRADE CONTRACTORS, GARGAGE AND REFUSE COLLECTION

Priority: Other Significant. Major under 5 USC 801.

Legal Authority: 15 USC 632(a); 15 USC 634(b)(6); 15 USC 637(a); 15 USC 644(c); PL 105-135

CFR Citation: 13 CFR 121

Legal Deadline: None

Abstract: The Small Business Administration (SBA) proposes a size standard of \$25.0 million in average annual receipts for all industries in General Building Contractors (Standard Industrial Classification (SIC) Major Group 15) and for all industries except Dredging and Surface Cleanup Activities in Heavy Construction Other Than Building Construction (SIC Major Group 16); \$20.0 million for Dredging and Surface Cleanup Activities (part of SIC 1629, Heavy Construction, Not

Elsewhere Classified (NEC)); \$10.5 Million for all Special Trade Contractors industries (SIC Major Group 17); and \$9.0 million for Garbage and Refuse Collection, Without Disposal (part of SIC 4212, Local Trucking Without Storage), and Refuse Systems (SIC 4953). The proposed revisions are being made to adjust these industries' size standards for the effects of inflation since the time they were established in the mid-1980s.

Timetable:

Action	Date	FR Cite
NPRM	07/26/99	64 FR 40311
NPRM Comment Period End	09/24/99	
Final Action	01/00/00	

Regulatory Flexibility Analysis Required: Yes

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: Gary M. Jackson, AA/Size Standards, Small Business Administration, 409 Third Street SW, Washington, DC 20416
Phone: 202 205-6618

RIN: 3245-AE23

4101. • SMALL BUSINESS SIZE STANDARDS; ARRANGEMENT OF TRANSPORTATION OF FREIGHT AND CARGO

Priority: Substantive, Nonsignificant

Legal Authority: 15 USC 632(a); 15 USC 634(b)(6)

CFR Citation: 13 CFR 121

Legal Deadline: None

Abstract: This rule will modify the way average annual receipts are calculated for firms in the Arrangement of Transportation of Freight and Cargo industry (SIC code 4731).

Timetable:

Action	Date	FR Cite
NPRM	07/26/99	64 FR 40314
NPRM Comment Period End	09/24/99	
Final Action	01/00/00	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Procurement: This is a procurement-related action for which there is no statutory requirement. There is no paperwork burden associated with this action.

Agency Contact: Gary M. Jackson, AA/Size Standards, Small Business Administration, 409 Third Street SW, Washington, DC 20416
Phone: 202 205-6618

RIN: 3245-AE27

Small Business Administration (SBA)

Completed Actions

4102. BUSINESS LOAN POLICY: UNGUARANTEED PORTIONS OF LOANS, SECURITIZATION, SALES, AND PLEDGES

Priority: Other Significant

Legal Authority: 15 USC 634(b)(6); 15 USC 636(a)

CFR Citation: 13 CFR 120.420

Legal Deadline: None

Abstract: This rule modifies present regulations to permit depository as well as nondepository lenders to borrow against and securitize the unguaranteed portion of SBA guaranteed loans.

Timetable:

Action	Date	FR Cite
ANPRM	11/29/96	61 FR 60649
ANPRM Comment Period End	12/29/96	
NPRM	02/26/97	62 FR 8640
NPRM Comment Period End	03/28/97	
Interim Final Rule	04/02/97	62 FR 15601
Interim Final Rule Effective	04/02/97	
Public Hearing (05/28/97)	05/12/97	62 FR 25874
Second NPRM	05/18/98	63 FR 27219
Second NPRM Comment Period End	07/17/98	
Final Action	02/10/99	64 FR 6503

Regulatory Flexibility Analysis Required: Yes

Small Entities Affected: Businesses

Government Levels Affected: None

Additional Information: RFA: Y

Agency Contact: James W. Hammersley, Director for Secondary Market Sales, Small Business Administration, 8th Floor, 409 Third Street SW, Washington, DC 20416
Phone: 202 205-6490

RIN: 3245-AD84

SBA

Completed Actions

4103. SMALL BUSINESS SIZE STANDARDS; ENGINEERING SERVICES, ARCHITECTURAL SERVICES, AND SURVEYING AND MAPPING SERVICES

Priority: Economically Significant. Major under 5 USC 801.

Legal Authority: 15 USC 632(a); 15 USC 634(b)(6); 15 USC 644(c); PL 104-486, sec 108; 15 USC 637(a)

CFR Citation: 13 CFR 121

Legal Deadline: None

Abstract: Proposal to increase small business size standards in the Engineering Services, Architectural Services, and Surveying and Mapping Services industries. The proposed revisions are being made to better define the size of business in those industries the SBA believes should be eligible for Federal small business assistance programs.

Timetable:

Action	Date	FR Cite
NPRM	02/03/98	63 FR 5480
NPRM Comment Period End	05/06/98	
Final Action	05/14/99	64 FR 26275

Regulatory Flexibility Analysis

Required: Yes

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: Gary M. Jackson, AA/Size Standards, Small Business Administration, 409 Third Street SW, Washington, DC 20416
Phone: 202 205-6618

RIN: 3245-AD89

4104. REVISIONS TO PCLP REGULATIONS

Priority: Substantive, Nonsignificant

Legal Authority: PL 105-135; 15 USC 601 et seq

CFR Citation: 13 CFR 120

Legal Deadline: Final, Statutory, May 2, 1998.

Abstract: This interim final rule implements Public Law 105-135, enacted on December 2, 1997, with respect to SBA financing in the pilot Premier Certified Lenders Program (PCLP). The interim final rule extends the pilot to October 1, 2000, and expands the authority of a Certified Development Company (CDC) participating in the PCLP (Premier CDC).

Timetable:

Action	Date	FR Cite
Interim Final Rule	05/05/98	63 FR 24739
Final Action	05/14/99	64 FR 26273

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Jane Palsgrove Butler, Office of Financial Assistance, Small Business Administration, 409 Third Street SW, Washington, DC 20416
Phone: 202 205-6485

RIN: 3245-AE11

4105. MINORITY ENTERPRISE DEVELOPMENT

Priority: Substantive, Nonsignificant

Legal Authority: 15 USC 637

CFR Citation: 13 CFR 124.206(a)

Legal Deadline: None

Abstract: This regulation would allow an appeal on denial of program admission to SBA's Office of Hearings and Appeals (OHA), if based on a negative finding of social disadvantage, economic disadvantage, ownership, control, business potential for success, or any combination of these five criteria.

Timetable:

Action	Date	FR Cite
Withdrawn	08/11/99	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Procurement: This is a procurement-related action for which there is no statutory requirement. There is no paperwork burden associated with this action.

Agency Contact: Jose Gutierrez, AA/Minority Enterprise Development, Small Business Administration, 409 Third Street SW, Washington, DC 20416
Phone: 202 205-6459

RIN: 3245-AE20

4106. MINORITY ENTERPRISE DEVELOPMENT

Priority: Substantive, Nonsignificant

Legal Authority: 15 USC 637

CFR Citation: 13 CFR 124.505(a)

Legal Deadline: None

Abstract: This regulation would allow the Administrator to delegate appeal authority to the Minority Enterprise Development Office.

Timetable:

Action	Date	FR Cite
Withdrawn	08/11/99	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: Businesses

Government Levels Affected: Federal

Procurement: This is a procurement-related action for which there is no statutory requirement. There is no paperwork burden associated with this action.

Agency Contact: Jose Gutierrez, AA/Minority Enterprise Development, Small Business Administration, 409 Third Street SW, Washington, DC 20416
Phone: 202 205-6459

RIN: 3245-AE21

4107. MINORITY ENTERPRISE DEVELOPMENT

Priority: Substantive, Nonsignificant

Legal Authority: 15 USC 637

CFR Citation: 13 CFR 124.206(a)

Legal Deadline: None

Abstract: This regulation would allow an appeal on denial of program admission to SBA's Office of Hearings and Appeals (OHA), if based on a negative finding of social disadvantage, economic disadvantage, ownership, control, business potential for success, or any combination of these five criteria.

Timetable:

Action	Date	FR Cite
Withdrawn	08/11/99	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: Jose Gutierrez, AA/Minority Enterprise Development, Small Business Administration, 409 Third Street SW, Washington, DC 20416
Phone: 202 205-6459

RIN: 3245-AE22

SBA

Completed Actions

4108. • SMALL BUSINESS INVESTMENT COMPANIES (LMI)

Priority: Other Significant
Legal Authority: 15 USC 681; 15 USC 683; 15 USC 687(c); 15 USC 687b; 15 USC 687d; ...
CFR Citation: 13 CFR 107
Legal Deadline: None

Abstract: To encourage small business investment companies (SBICs) to invest in inner cities and rural areas and in businesses that serve such areas, this regulation will introduce a new SBIC investment category called low and moderate income investments (LMI).

Timetable:

Action	Date	FR Cite
NPRM	02/09/99	64 FR 6256
NPRM Comment Period End	03/11/99	
Final Action	09/30/99	64 FR 52641

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses
Government Levels Affected: None

Agency Contact: Leonard Fagan, Investment Division, Small Business Administration, 409 Third Street SW, Washington, DC 20416
Phone: 202 205-6510
RIN: 3245-AE24

4109. • DISASTER MITIGATION PILOT LOAN PROGRAM

Priority: Substantive, Nonsignificant
Legal Authority: PL 106-24
CFR Citation: 13 CFR 123
Legal Deadline: None

Abstract: This regulation will implement a pilot program authorized by Congress in 1999. It will allow SBA to make low interest, fixed-rate loans to small businesses to use mitigation measures in support of Project Impact, a formal mitigation program established

by the Federal Emergency Management Agency (FEMA).

Timetable:

Action	Date	FR Cite
NPRM	07/07/99	64 FR 36617
NPRM Comment Period End	08/06/99	
Final Action	09/03/99	64 FR 48275

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses
Government Levels Affected: None

Agency Contact: Bernard Kulik, Associate Administrator for Disaster Assistance, Small Business Administration, 409 Third Street SW, Washington, DC 20416
Phone: 202 205-6734

RIN: 3245-AE25
[FR Doc. 99-27052 Filed 11-19-99; 8:45 am]
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